

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ROBERT ANTHONY FORLINA	:	
	:	CIVIL ACTION
v.	:	
	:	NO. 16-2696
JOHN DOE, ET AL.	:	

ORDER

AND NOW, this 11th day of October, 2019, upon consideration of the Valley Forge Defendants' Motion to Dismiss (ECF No. 4), and Pennsylvania State Trooper Donald Allaband, Jr.'s Motion to Dismiss (ECF No. 9), and all documents submitted in support thereof and in opposition thereto, it is **ORDERED** as follows:

1. The Valley Forge Defendants' Motion to Dismiss (ECF No. 4) is **GRANTED** in part and **DENIED** in part, as follows:
 - a. The Motion is **DENIED** with respect to Plaintiff's Section 1983 claims (Count 1) against the individual Casino Defendants: John Doe, James Morace, Charles Petruzulli, and Richard Roe;
 - b. The Motion is **GRANTED** with respect to Plaintiff's Section 1983 claims (Count 1) against Defendant Valley Forge Convention Center Partners, LP d/b/a Valley Forge Casino Resort. Count 1 is dismissed against Defendant Valley Forge Convention Center Partners, LP d/b/a Valley Forge Casino Resort;
 - c. The Motion is **DENIED** with respect to Plaintiff's state law claims (Count 2, Count 3, and Count 4) against all Casino Defendants: John Doe, James

Morace, Charles Petruzulli, Richard Roe, and Valley Forge Convention
Center Partners, LP d/b/a Valley Forge Casino Resort; and

- d. The Motion is **DENIED** with respect to Plaintiff's claim for punitive damages (Count 5).
2. Pennsylvania State Trooper Donald Allaband, Jr.'s Motion to Dismiss (ECF No. 9) is **GRANTED** in part and **DENIED** in part, as follows:
- a. The Motion is **DENIED** with respect to Plaintiff's Section 1983 claims of false arrest, false imprisonment, malicious prosecution, and illegal search. (Count 1);
 - b. The Motion is **GRANTED** with respect Plaintiff's Section 1983 claim for malicious abuse of process (Count 1). This claim will be dismissed against Defendant Trooper Allaband;
 - c. The Motion is **GRANTED** with respect to Plaintiff's state law claims (Count 2, Count 3, and Count 4). Counts 2, 3, and 4 will be dismissed against Defendant Trooper Allaband; and
 - d. The Motion is **DENIED** with respect to Plaintiff's claim for punitive damages (Count 5).

IT IS SO ORDERED.

BY THE COURT:



R. BARCLAY SURRICK, J.